

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA OF  
NORTHERN DIVISION

CHARLES A. BARNES,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 2:05-cv-172-F
	)	WO
ANTHONY CLARK, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

There being no objections filed to the Recommendation of the Magistrate Judge entered on March 1, 2005 (Doc. #6), said Recommendation is hereby adopted and it is the

ORDER, JUDGMENT and DECREE that :

1. The plaintiff's challenges to his pending criminal charges and all court actions related to these charges are DISMISSED without prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii).

2. The plaintiff's claims against Greg Gambril, Walt Merrell and Eugenia Loggins are DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i) and (iii).

3. Greg Gambril, Walt Merrell and Eugenia Loggins are DISMISSED from this cause of action.

4. Those claims regarding the constitutional rights of inmates Joe Clements and Juan Carlos Osuna are DISMISSED without prejudice pursuant to the provisions of 28 U.S.C. §

1915(e)(2)(B)(i).

5. The plaintiff's claims challenging the conditions of confinement to which he is subjected in the Covington County Jail are referred back to the magistrate judge for further proceedings.

DONE this 21st day of April, 2005.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE